



General Assembly

Substitute Bill No. 386

February Session, 2000

An Act Concerning The Powers Of Marine Patrol Officers.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 15-154a of the general statutes is repealed and the following
2 is substituted in lieu thereof:

3 (a) The selectmen of any town may appoint for such length of time
4 as they determine such number of special constables to be called town
5 marine officers as they deem necessary to enforce the provisions of this
6 chapter, section 53-134, subsection (b) of section 53a-119b and section
7 53a-182 on any body of water that lies wholly or partially within the
8 jurisdiction of the town, and the provisions of section 22a-250 on any
9 body of water that lies wholly or partially within the jurisdiction of the
10 town or upon land adjacent to such body of water and within the
11 jurisdiction of the town.

12 (b) The selectmen of any town may appoint, for such length of time
13 as they determine, town marine officers or auxiliaries to the municipal
14 police or to a lake authority established under the provisions of section
15 7-151a. Such officers or auxiliaries may, [monitor] on any body of
16 water that lies wholly or partially within the jurisdiction of the town or
17 upon land adjacent to such body of water [for compliance with the
18 provisions of this chapter, section 53-134, subsection (b) of section 53a-
19 119b and section 53a-182, provided such auxiliaries shall not have the
20 power to arrest any person and shall not be considered peace or police

21 officers. The Commissioner of Environmental Protection shall develop
22 a training program for such auxiliaries] and within the jurisdiction of
23 the town, enforce the following sections and any regulations adopted
24 thereunder, insofar as they are punishable solely by payment of a fine
25 or through issuance of an infraction: Sections 15-129, 15-129a, 15-131,
26 as amended, subsections (b), (c), (e) and (f) of section 15-133, sections
27 15-134, 15-135, 15-140b, 15-140d, 15-140e, 15-140g, 15-140h, 15-140j, 15-
28 140m, 15-142, subsections (a) and (c) of section 15-144, sections 15-147,
29 15-150, 15-153, subsection (b) of section 15-175, section 53-190 and
30 section 53-191.

31 (c) Town marine officers or auxiliaries appointed under this section
32 who (1) have completed the training required under subsection (e) of
33 this section and (2) are identifiable by vessel and uniform, may stop,
34 board and terminate the voyage of any vessel that is under way or that
35 is moored on the waters of this state to enforce the sections set forth in
36 subsection (b) of this section and any regulations adopted thereunder.
37 Notwithstanding the enforcement powers granted under this section,
38 town marine officers or auxiliaries shall not have the power to arrest
39 any person and shall not be considered peace officers or police officers.

40 (d) No person operating a vessel may refuse to stop the vessel or, if
41 sea conditions make stopping unsafe, refuse to take the vessel to a
42 designated location after a town marine officer or auxiliary requests or
43 signals the operator to do so. Any person operating a vessel who
44 refuses to stop or refuses to take the vessel to a designated location
45 after a town marine officer or auxiliary requests or signals the operator
46 to do so shall have committed an infraction.

47 (e) The Commissioner of Environmental Protection shall develop a
48 training course for town marine officers or auxiliaries. Town marine
49 officers or auxiliaries shall complete a town marine officers or
50 auxiliaries training course provided by or approved by the
51 commissioner. Municipalities shall assure that each town marine
52 officer or auxiliary receives such training. Municipalities shall maintain
53 records of all such training of town marine officers or auxiliaries. The

54 commissioner may audit such records. The commissioner may charge
55 municipalities for department-provided training.

56 (f) The Commissioner of Environmental Protection shall adopt
57 regulations, in accordance with the provisions of chapter 54, to set
58 standards for town marine officers or auxiliaries.

ENV Committee Vote: Yea 18 Nay 4 JFS C/R PS